

255 South Lasky Drive
Beverly Hills, California 90212-3697
(310) 551-5100

LA CO. 8002
ELECTION OFFICE
800

AUG 12 - 8 PM 7:50

August 6, 2008

Mr. Dean C. Logan, Acting Registrar- Recorder/ County Clerk
Election Coordination Section
Los Angeles County
12400 E. Imperial Highway, 3rd Floor, room 3207
Via Fax 562/406-2658

Re: Beverly Hills Unified School District General Obligation Bond Election, November 4, 2008.

Dear Mr. Logan,

Enclosed is a resolution of the Board of Education of the Beverly Hills Unified School District ordering a general obligation bond election for November 4, 2008. This election is being ordered pursuant to Proposition 39 and requires a 55% vote for passage.

In order to comply with Proposition 39 and related statutes the Board has adopted a full ballot text (Appendix A to the Resolution) to be printed in the ballot pamphlet, and an abbreviated form of measure (Appendix B to the Resolution). The Bond Project List contained in Exhibit A-1 is intended to be a part of the full ballot text, and must be published in the pamphlet in order to comply with the requirements of Proposition 39 and related legislation.

The Board of Education has requested consolidation of this election with others occurring on the same day.

A tax rate statement entitled "Statement in Compliance with Election Code Section 9400 to 9404" is also enclosed with this letter.

Please confirm fax receipt, 213/810-3200 or kchristiansen@bhusd.k12.ca.us

Yours very truly,

Cheryl A. Plotkin
Assistant Superintendent Business Services

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
TAX RATE STATEMENT FOR
BOND MEASURE _____ TO BE HELD ON NOVEMBER 4, 2008

An election will be held in the Beverly Hills Unified School District of Los Angeles County on November 4, 2008, to authorize the sale of \$334,000,000 in general obligation bonds. The following information is submitted in compliance with Sections 9401 and 9404 of the California Elections Code.

1. The best estimate of the tax rate which would be required to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 0.28 cents per \$100 (\$2.80 per \$100,000) of assessed valuation in fiscal year 2009-10.
2. The best estimate of the highest tax rate which would be required to fund this bond issue, based on estimated assessed valuations available at the time of filing this statement, is 4.97 cents per \$100 (\$49.70 per \$100,000) of assessed valuation in fiscal year 2030-31.
3. The best estimate of the tax rate which would be required to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement is 1.21 cents per \$100 (\$12.10 per \$100,000) of assessed valuation in fiscal year 2018-19.
4. In 2002 voters approved a general obligation bond that would structure in such a way that the combined total tax rate of the new bonds and existing bonds would not exceed 6.930 cents per \$100 of assessed valuation (this equals \$69.30 annually per \$100,000 of assessed valuation). The highest tax rate for the Measure ____ bonds when combined with the existing bonds is estimated to be \$49.71 annually per \$100,000 of assessed valuation.

These estimates are based on projections derived from information obtained from official sources. The actual tax rates and the years in which they will apply may vary depending on the timing of bond sales, the amount of bonds sold at each sale, and actual increases in assessed valuations. The timing of the bond sales and the amount of bonds sold at any given time will be governed by the needs of the District. Actual assessed valuations will depend upon the amount and value of taxable property within the District as determined in the assessment and the equalization process.

Dated: August 7, 2008

By: Ilene Straus, Assistant Superintendent, Educational Services
Beverly Hills Unified School District



255 South Lasky Drive
Beverly Hills, California 90212-3697
(310) 551-5100

July 23, 2008

Mr. Dean C. Logan, Acting Registrar-Recorder/County Clerk
Election Coordination Section
12400 E. Imperial Highway, 3rd Floor, Room 3207
Norwalk, California 90650
Phone: (562) 462-2632
FAX: (562) 406-2658

Mr. Dean C. Logan:

Beverly Hills Unified School District is currently in the final stages of deciding to run a Bond Election on the November 4, 2008 ballot. The specific Letter Designation we would like to request is Measure E. Our alternate choices are Measure Y and Measure R, respectively. The final determination from the School Board regarding the District's decision will be known on July 30, 2008, at which point the District will submit all other required paperwork.

Please contact our office as soon as possible regarding this urgent request at
(310) 551-5100 x 2388

Thank you for your consideration.

Sincerely,

Karen Christiansen, Consultant, Program Director
Planning and Facilities Department
Beverly Hills Unified School District
kchristiansen@bhUSD.k12.ca.us
(310) 551-5100 x 2388

RESOLUTION NO. 2008-2009-002

RESOLUTION OF THE BOARD OF TRUSTEES OF THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON NOVEMBER 4, 2008

WHEREAS, in the judgment of the Board of Trustees (the "Board") of the Beverly Hills Unified School District (the "District"), it is advisable to call an election to submit to the electors of the District the question whether bonds of the District shall be issued and sold for the purpose of raising money for the acquisition and improvement of real property and the furnishing, building and equipping of school facilities of the District; and

WHEREAS, the Board is authorized to pursue the authorization and issuance of bonds by a 55% vote of the electorate on the question whether bonds of the District shall be issued and sold for specified purposes, under Article XIII A Section 1 paragraph (b) of the California Constitution ("Article XIII A") and under Education Code Section 15264 *et seq.* (the "Act"); and

WHEREAS, under Section 10403 *et seq.* of the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 4, 2008, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District;

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Call for Election. The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in the maximum principal amount of \$334 million for the purpose of raising money to finance school facilities and property of the District, and paying costs incident thereto, as set forth more fully in the ballot measure approved under Section 3. This Resolution constitutes the order of the District to call such election.

Section 2. Election Date. The date of the election shall be November 4, 2008, and the election shall be held solely within the boundaries of the District.

Section 3. Purpose of Election; Ballot Measure. The purpose of the election shall be for the voters in the District to vote on a measure, a full copy of which is attached hereto as Appendix A, containing the question of whether the District shall issue the Bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Act. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as Appendix B. The Superintendent is hereby authorized and directed to make any changes to the text of the measure as required to conform to any requirements of Article XIII A, the Act or the Los Angeles County Registrar of Voters.

Section 4. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code and Section I paragraph (b) subsection (3) of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

Section 5. School Facilities Projects. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size and information technology needs in developing the list of school facilities projects set forth in Appendix A.

Section 6. Covenants of the Board upon Approval of the Bonds by the Electorate. As required by Article XIII and Section 15278 of the Act, in the event 55 percent or more of the voters voting in the District approve of the Bonds, the Board shall:

- (a) Conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Appendix A;
- (b) Conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Appendix A; and
- (c) Establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act.

Section 7. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to the Los Angeles County Superintendent of Schools, the Los Angeles County Registrar of Voters (the "County Registrar") and the Los Angeles County Clerk of the Board of Supervisors. The County Registrar is hereby requested to print the full text of the ballot measure in the ballot materials and to publish the Notice of School Bond Election in a newspaper of general circulation within the District.

Section 8. State Matching Funds. The District hereby requests that the County Registrar include the following statement in the ballot pamphlet, pursuant to Section 15122.5 of the Education Code:

"Approval of Measure ____ does not guarantee that the proposed project or projects in the Beverly Hills Unified School District that are the subject of bonds under Measure ____ will be funded beyond the local revenues generated by Measure _____. The District's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

Section 9. Consolidation of Election; Request to Provide Services. The County Registrar and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2008, within the District. Pursuant to Section 5303 of the

Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Los Angeles County is requested to permit the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Los Angeles County in full upon presentation of a bill, such services to include the publication of a formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

Section 10. Ballot Arguments; Tax Rate Statement. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The President of the Board, the Superintendent, the Assistant Superintendent, Business Services or any designee of the foregoing, are hereby authorized to execute any Tax Rate Statement or other document and to perform all acts necessary to place the bond measure on the ballot.

Section 11. Accountability Measures. As required by Section 53410 of the Government Code, a statement in substantially the following form shall be included on the ballot for the Bonds, and the Board covenants to comply with the reporting requirements contained in Section 53411 of the Government Code:

Accountability Measures

As required by Section 53410 of the Government Code, the following accountability measures are hereby made a part of the District's Bond Measure __ (the "Measure"):

- (a) The specific purpose of the bonds is set forth in the Full Text of the Measure;
- (b) The proceeds from the sale of the District's bonds will be used only for the purposes specified in the Measure, and not for any other purpose;
- (c) The proceeds of the Bonds will be deposited into a Building Fund to be held by the Los Angeles County Treasurer, as required by the California Education Code; and
- (d) The Superintendent of the District shall cause an annual report to be filed with the Board of Trustees of the District not later than January 1 of each year, which report shall contain pertinent information regarding the amount of funds collected and expended, as well as the status of the projects listed in the Measure, as required by Sections 53410 and 53411 of the Government Code.

Section 12. Maturity Limit of Bonds. The Bonds may be issued in series by the District from time to time, and each series of Bonds shall mature not more than 40 years from the date of issuance thereof. The Bonds shall be issued under the Act, under the provisions of Section 53506 of the California Government Code, or under any other provision of law authorizing the issuance of general obligation bonds by school districts.

Section 13. Effective Date. This resolution shall take effect on and after its adoption.

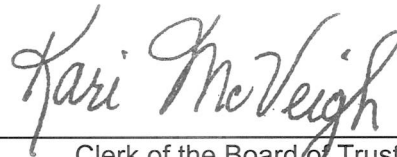
* * * * *

The foregoing Resolution was adopted by the Board of Trustees of the Beverly Hills Unified School District of Los Angeles County, being the Board authorized by law to make the designations therein contained by the following vote, on July 29, 2008.

Ayes: 5

Noes: 0

Absent: 0



Clerk of the Board of Trustees
of the Beverly Hills Unified School District

APPENDIX A

BALLOT MEASURE FULL TEXT

"Beverly Hills Unified School District Safety, Security and Repair Measure: To provide safe and modernized school facilities, make necessary structural seismic safety repairs, upgrade, repair, and reconstruct aging classrooms, infrastructure, multiuse, gyms, libraries, science, technology & labs; roofing, plumbing, heating, ventilation and electrical systems; renovate Beverly Hills Unified School District schools to better protect student/staff from unauthorized entry, security risks and natural disasters; shall Beverly Hills Unified School District issue \$334 million in bonds at legal interest rates subject to mandatory audits, independent citizens' oversight without an estimated increase in tax rates?"

Bonds—Yes

Bonds—No

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the District will be authorized to issue and sell bonds of up to \$334 million in aggregated principal at interest rates below the legal limit and to provide financing for the specific school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in the District may be assured that their money will be spent wisely. Expenditures to address specific facilities needs of the District will be in compliance with the requirements of Article XIII A, Section 1(b)(3), of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following.)

Independent Citizens' Oversight Committee. The School Board shall establish an Independent Citizens' Oversight Committee under Education Code Section 15278 and following to ensure bond proceeds are expended only on the school facilities projects listed below. The committee will be established within 60 days of the date when the results of the election appear in the minutes of the School Board.

Performance Audits. The School Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

Financial Audits. The School Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed below.

FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction and/or rehabilitation of school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

BOND PROJECT LIST

The Bond Project List shown below is a part of the ballot measure and must be reproduced in any official document required to contain the full statement of the bond measure.

Evaluation of Needs. The Board of Education of the Beverly Hills Unified School District evaluated the District's urgent and critical school needs, including seismic safety requirements, school and student safety issues, computer technology, and aging, outdated or deteriorating school buildings in developing the scope of projects to be funded, as outlined in the Beverly Hills Unified School District Project List (School Safety and Improvement) (website: www.bhusd.org)

The District, together with professional experts, has conducted a thorough evaluation at all school sites and has used this information developing the conceptual scope of school projects to be funded. The District has concluded that if these needs are not addressed now, the problem will only get worse and more expensive to address in the future.

In approving this Priority School Projects List, the Board of Education has determined that:

- (i) all of its schools must be healthy and safe from earthquake risks, hazardous materials such as asbestos, mold and fire dangers;
- (ii) in repairing aging schools, priority shall be given to basic repairs, such as leaky roofs, plumbing, electrical and utility systems;
- (iii) all of its schools should be safe learning environments;
- (iv) the District must install and upgrade fire detection systems, security and emergency response systems at every school so that all students are safe, as well as make repairs in compliance with energy saving and sustainability standards;

- (v) that, when advisable, bond projects should be managed by a professional program/construction management firm with a proven track record of delivering school construction projects on-time and on-budget;
- (vi) The District must aggressively apply for State matching funds and spend any local bond money exclusively on schools and facilities within the District and shall not allow bond monies to be transferred to the State.

Projects Subject to Available Funding. The following list of projects is subject to the availability of adequate funding to the District. Approval of the bond measure does not guarantee that the proposed projects in the District that are the subject of bonds under the measure will be funded beyond the local revenues generated by the bond measure. The District's proposal for the projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

Scope of Projects. Bond proceeds will be expended to modernize, replace, renovate, construct, equip, furnish, rebuild and otherwise improve District facilities as described below. The specific school facilities projects which are described below include all related and incidental costs, including costs of design, engineering, architect and other professional services, site preparation, utilities, landscaping and other incidental costs, and construction management. Bond proceeds may also be expended to acquire real property for future educational facilities and to acquire and install furniture, fixtures and equipment at any classrooms and other facilities of the District. The District may alter the scope and nature of any of the specific projects, which are described below as required by conditions that arise during the course of design and construction, including unforeseen conditions such as dry rot, mold and faulty engineering.

PROJECT LIST

Every school campus listed below within the Beverly Hills Unified Schools District will receive Measure ____ bond funds. Bond funds will benefit:

**Beverly Hills High School ,
Beverly Vista School,
District Annex building
El Rodeo School,
Hawthorne School,
Horace Mann School,
Moreno High School**

School Health and Safety, Earthquake Safety and Energy Efficiency School Projects

Goal and Purpose: To reduce the risk of injury in the event of emergency evacuation, some local schools will benefit from additional earthquake retrofitting. These measures are necessary to ensure Beverly Hills Unified Schools afford additional safety to its students, staff and community members in the case of natural or man made

disasters. Additionally schools and school sites will benefit from the following health and safety projects:

- Make necessary Seismic safety and earthquake repairs to schools and classrooms vulnerable to serious damage in a major earthquake, as required by State law.
- Renovate, remove and reconstruct school buildings as necessary to control outside access to school grounds by “unauthorized non school related individuals.”
- Strengthen and repair schools and classrooms vulnerable to serious damage in a major earthquake, as required by State law.
- Remove or abate asbestos, lead paint, mold and hazardous materials.
- Fire alarm systems upgraded to automatic systems, repair fire safety equipment, add sprinklers and fire safety doors.
- Upgrade to schools to meet handicap accessibility requirements.
- Inspect for/repair gas pipe leaks.
- Replace/upgrade existing signage, bells and clocks.
- Install/replace/upgrade security fencing.
- Replace/upgrade existing security and irrigation systems.
- Install energy efficient systems.
- Replace existing window systems with energy efficient systems.
- Install new security systems, such as security (surveillance) cameras, outdoor lighting, fencing, gates and classroom door locks.
- Upgrade emergency communication systems.
- Upgrade site playground equipment replacement to meet current safety standards.
- Relocate or improve student drop-off areas and parking as necessary to improve safety.
- Inspect and improve play area fields for safety and drainage.
- Replace existing doors, door frames and ceilings.
- Add emergency exits for faster evacuation in an emergency.
- Upgrade school site parking, utilities and grounds.

- Repair termite damage to structures and doors/doorframes.

School Renovation, Repair, Upgrade and Construction Projects

Goal and Purpose: Schools will benefit from the renovation, repair and upgrade of deteriorating, outdated school buildings, science labs, classrooms, computer and science labs and school libraries and equipment, allowing all children to have the resources they need to learn and excel:

- Repair, upgrade and replace worn-out leaking roofs.
- Replace existing wiring systems to meet current electrical and accessibility codes and increased capacity.
- Additional electrical service capacity to relieve currently overloaded electrical systems.
- Replace existing water, sewer and plumbing systems to meet current codes, including the elimination of lead-containing fixtures.
- Upgrade aging and deteriorating school restrooms.
- Replace older ceilings, heating, ventilation, air conditioning and lighting systems with building code compliant, energy efficient systems.
- Install code-compliant ventilating systems in restrooms.
- Provide improved, upgraded computer labs.
- Upgrade and equip classrooms, science labs, multipurpose rooms, physical education facilities, kitchens, auditoriums, libraries, arts and music rooms, childcare, preschool, adult education and educational support spaces.
- Classroom interiors will receive new paint, carpet/vinyl tile/asbestos abatement, white markerboards, tackable surfaces, storage for instructional materials and equipment.
- Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades including site access, parking, staff and student restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment and similar facilities.
- Reconfigure interior and exterior of Annex Building to more appropriately house alternative education programs (off the main high school campus).
- Repair aging schools.

District-Wide Wiring and Instructional Technology For Effective Learning Environment Projects.

Goal and Purpose: To improve both current instruction methods and to expand educational and job-training programs by applying modern technology infrastructure:

- Provide and maintain upgraded technology, data and communication equipment.
- Upgrade and expand wireless systems, telecommunications, Internet and network connections.
- Upgrade and replace computers, hardware and software systems.
- Upgrade and replace classroom furniture, equipment and instructional aids.
- Upgrade media and audio/visual equipment.

APPENDIX B

BALLOT MEASURE ABBREVIATED FORM

"Beverly Hills Unified School District Safety, Security and Repair Measure: To provide safe and modernized school facilities, make necessary structural seismic safety repairs, upgrade, repair, and reconstruct aging classrooms, infrastructure, multiuse, gyms, libraries, science, technology & labs; roofing, plumbing, heating, ventilation and electrical systems; renovate Beverly Hills Unified School District schools to better protect student/staff from unauthorized entry, security risks and natural disasters; shall Beverly Hills Unified School District issue \$334 million in bonds at legal interest rates subject to mandatory audits, independent citizens' oversight without an estimated increase in tax rates?"

Bonds—Yes

Bonds—No
